

**ORDINANCE \_\_\_\_\_, SERIES 2008**

**AN ORDINANCE GRANTING A TELECOMMUNICATIONS SERVICES FRANCHISE TO ZAYO BANDWIDTH, INC. PURSUANT TO SECTION 116.70 ET SEQ. OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO.**

**SPONSORED BY:** Councilman Jim King, Division 10

**WHEREAS,** LMCO 116.70 et seq. [the “Telecommunications Services Ordinance”] provides for the grant of franchises to eligible communications services providers for the right and privilege to construct, own, operate, repair, replace, and maintain facilities in, through, and along public rights of way within Jefferson County; and

**WHEREAS,** Zayo Bandwidth, Inc. has submitted the requisite application pursuant to LMCO 116.71(D) and 116.74(B), which application has been reviewed and approved by the Director of the Metro Department of Public Works & Assets.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**Section I: GRANT OF FRANCHISE** A non-exclusive telecommunications services franchise is hereby granted to Zayo Bandwidth, Inc subject to all the terms, conditions, and restrictions set forth in the Telecommunications Services Ordinance for the right to construct, own, operate, repair, replace, and maintain facilities in, through, and along Metro Louisville rights of way pursuant to (a) the terms, conditions, and representations

set forth in its application, (b) the provisions of the Telecommunications Services Ordinance, and (c) to the extent such does not impair the rights of any other franchisee under the terms of its franchise.

**SECTION II: Term** The term of the franchise granted herein shall be fifteen (15) years from the effective date of this ordinance.

**SECTION III: Effective Date** This ordinance shall take effect upon its passage and approval.

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**Kathleen J. Herron**  
**Metro Council Clerk**

\_\_\_\_\_  
**Jim King**  
**President of the Council**

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**Jerry E. Abramson**  
**Mayor**

**Approved:** \_\_\_\_\_  
**Date**

**APPROVED AS TO FORM AND LEGALITY:**

**Irv Maze**  
**Jefferson County Attorney**

**BY:** \_\_\_\_\_

Telecom Services Franchise – Zayo Bandwidth, Inc. - 28 Feb 2008 roc/wtw